

Notice of Allowability

Application No.

09/781,531

Examiner

Thomas J. Lett

Applicant(s)

TOEBES ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's remarks dated 12 September 2006.
2. ☒ The allowed claim(s) is/are 1-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

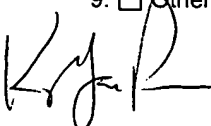
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

**KING Y. POON****PRIMARY EXAMINER**

DETAILED ACTION

EXAMINER'S AMENDMENT

1. The application has been amended as follows:

Claims 13, 22, 25, 27, 44 and 45 as shown.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Charles Fish on 27 November 2006.

13. A method for processing digital images comprising the steps of:
 - providing image data on a storage media;
 - connecting the storage media to a reference platform;
 - transferring the image data to the reference platform;
 - determining with a communication interface whether access to a high speed network connection is available;
 - establishing a communication link over the high speed network connection with a service provider in response to access being available to the high speed network connection;
 - establishing a communication link over a dialup network connection with the service provider in response to access not being available to the high speed network connection;

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automatically connecting the reference platform to the service provider identified by the reference platform over the established communication link;

establishing a webpage associated with the reference platform at the service provider in response to establishing the communication link, the webpage being accessible to the user;

automatically receiving configuration data from the service provider; and
automatically uploading the image data to the service provider in response to the configuration data without any user interfacing.

22. A method for processing digital images comprising the steps of:
providing for a reference platform;
establishing a standard default profile in the reference platform;
determining with a communication interface whether access to a high speed network connection is available;
establishing a communication link over the high speed network connection with a website in response to access being available to the high speed network connection;
establishing a communication link over a dialup network connection with the website in response to access not being available to the high speed network connection;
connecting the reference platform to the website over the established communication link for setting initial user profile information;
establishing a webpage associated with the reference platform on the website, the webpage being accessible to the user; and

downloading initial user profile information onto the reference platform from the website, the reference platform interfacing with the website without user interaction.

25. A method for processing digital images comprising the steps of:

providing a reference platform;

determining with a communication interface whether access to a high speed network connection is available;

establishing a communication link over the high speed network connection in response to access being available to the high speed network connection; establishing a communication link over a dialup network connection in response to access not being available to the high speed network connection;

establishing a webpage associated with the reference platform, the webpage being accessible to the user; establishing a standard default profile in the reference platform over the established communication link; and establishing initial user profile information on the reference platform without requiring user interface.

27. A method for processing digital images comprising the steps of:

providing a reference platform device from a retail outlet to a consumer;

determining with a communication interface whether access to a high speed network connection is available;

establishing a communication link over the high speed network connection with a central server in response to access being available to the high speed network connection;

establishing a communication link over a dialup network connection with the central server in response to access not being available to the high speed network connection;

connecting the device to the central server over the established communication link;

establishing a webpage associated with the reference platform at the central server, the webpage being accessible to the user; and

establishing an account with the central server;

configuring the device;

uploading images to the central server; and

directing the central server to process images, wherein the device interfaces with the central server without user interaction.

44. A method for configuring a reference platform by a user comprising the steps of:

contacting a service provider identified by said reference platform;

submitting information to said service provider;

creating an account for said user by said service provider;

receiving image data at said reference platform;

connecting said reference platform to a communication receptacle; and

determining with a communication interface whether access to a high speed network connection is available;

establishing a communication link over the high speed network connection with the service provider in response to

access being available to the high speed network connection;

establishing a communication link over a dialup network connection with the service provider in response to access not being available to the high speed network connection,

contacting said service provider with said reference platform over the established communication link;

establishing a webpage associated with the reference platform at the service provider, the webpage being accessible to the user; and

wherein said reference platform receives configuration script to control communication of image data from said reference platform to said service provider without user interaction.

45. (Currently Amended) A method of processing digital images comprising the steps of:

connecting an imaging device to a reference platform;

generating a print request form with said imaging device, said print request form designating at least one image file in said image device for processing;

determining with a communication interface whether access to a high speed network connection is available;

establishing a communication link over the high speed network connection in response to access being available to the high speed network connection;

establishing a communication link over a dialup network connection in response to access not being available to the high speed network connection;

downloading a configuration script to said reference platform without user interaction over the established communication link;

uploading said print request form and said at least one image file to a service provider via said reference platform in response to said configuration script;

establishing a webpage associated with the reference platform at the service provider, the webpage being accessible to the user;

processing said at least one image file according to said print request form for generating a processed image; and

delivering said processed image to a user.

Allowable Subject Matter

2. Claims 1-45 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 1, 13, 22, 25, 27, 44 and 45 of the instant application are allowed for the reasons pointed out by Applicant's remarks dated 12 September 2006 (pages 14-16).

1. It follows that claims 2-12, 14-21, 23-24, and 27-43 are allowable as they depend from an allowable base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

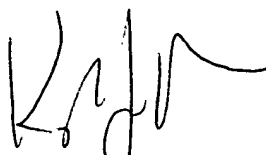
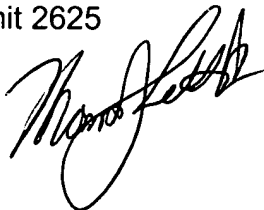
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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